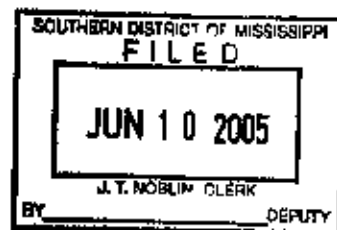


FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

## COMPLAINT

Kenneth Gandy

(Enter above the full name of the plaintiff or plaintiffs and prisoner number of each plaintiff in this action.)

v.

CIVIL ACTION NUMBER:

4:05cv101 TSL-AGN  
(to be completed by the Court)Paper Wings

(Enter above the full name of the defendant or defendants in this action.)

## OTHER LAWSUITS FILED BY PLAINTIFF

## NOTICE AND WARNING:

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

- A. Have you ever filed any other lawsuits in a court of the United States? Yes (✓) No ( )
- B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse side of this page or additional sheets of paper.)

- Parties to the action: Kenneth Gandy Versus Kenneth Stanley U.S.D.C. Southern District of MS. Hattiesburg Division And Kenneth Gandy Versus Connie Pierce the same Division And Kenneth Gandy Versus Lawrence Roy Greer, W. Booker, Unknown Ether, And Commissioner of Reclassification the Eastern Division
- Court (if federal court, name the district; if state court, name the county): The Southern District of Miss Hattiesburg Division both of them and the Southern District of Miss Eastern Division
- Docket Number: 2:05cv5 H-S-JMR And 2:05cv-111-HS-JMR And 4:05cv079 TSL-AGN
- Name of judge to whom case was assigned: Judge Keith Startett Magistrate Judge John M. Roper for two of them And Judge Tom S. Lee and Magistrate Judge, Al Fred G. Nichols, Jr
- Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?): yes it still pending and the Kenneth Gandy V. Lawrence Roy Greer, W. Booker Unknown Ether and Commissioner of Reclassification, for not send in the Certification to be signed and returned by the plaintiff so it was dismissed because I loss the papers that why I didn't send it back

## PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank. Do the same for additional plaintiff, if any).

I. Name of plaintiff: Kenneth Gandy Prisoner Number: 94933  
 Address: EMCF I-C-Zone-cell-102  
10641 HWY 80 West, P.O. Box 4217  
Meridian, MS. 39307

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions, and places of employment of any additional defendants.)

II. Defendant: Paper Wings is employed as  
Magazines company at P.O. Box 4855  
Baltimore, Maryland 21211

The plaintiff is responsible for providing the court the name and address of each plaintiff(s) as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

## PLAINTIFF(S):

NAME:	ADDRESS:
<u>Kenneth Gandy</u>	<u>EMCF I-C-Zone-cell-102</u>
	<u>10641 HWY 80 West</u>
	<u>P.O. Box 4217</u>
	<u>Meridian, MS. 39307</u>

## DEFENDANT(S):

NAME:	ADDRESS:
<u>Paper Wings</u>	<u>P.O. Box 4855</u>
	<u>Baltimore, Maryland 21211</u>

### ADMINISTRATIVE REMEDIES PROGRAM

A. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?

Yes ( ☒ ) No ( ☐ )

B. Are you presently incarcerated for a parole or probation violation?

Yes ( ☐ ) No ( ☒ )

C. Did you present the facts relating to your complaint in the administrative or grievance procedure in your institution?

Yes ( ☐ ) No ( ☒ )

1. If you answer to C is yes,

a. State the date your claims were presented: \_\_\_\_\_

b. State how your claims were presented. (Written request, verbal request, request for forms)

\_\_\_\_\_

c. State the result of that procedure. (You must attach a copy of the final result, such as a certificate from the administrator of the Administrative Remedies Program stating that you have exhausted your administrative remedies.)

\_\_\_\_\_

\_\_\_\_\_

2. If you have not filed a grievance, state the reasons: because this is a magazines company in  
Administrative Remedies program don't have anything to do with This I  
think That why I didn't sent in a Request for Administrative  
Remedies but, if you check the computer to see I send paper  
wings a check

# MISSISSIPPI DEPARTMENT OF CORRECTIONS

## Inmates Account Statement

02C0R07L30EP1171

May 11, 2004

Begin Date: 04/01/2004  
End Date: 04/30/2004

Offender: GANDY, KENNETH D  
ID: 94933  
Zone: ZONE T1  
Housing: SMCI, SMCI 2 LOCKDOWN, ZONE T1, BED 0013

SID:  
FBI ID: 13446RA2  
SSN: 427-19-9115

**110 CASH**

TransDate	Transaction	Amount	Balance	Check No	Payee	Comments
04/01/2004	STARTING BALANCE		120.97			
04/05/2004	INMATE DEPOSIT	15.00	135.97		ANNIE LAND	
04/07/2004	COMMISSARY PURCHASE	(14.60)	121.17			
04/16/2004	94933-PAPER WINGS**	(20.00)	101.17	004684		94933 - inmate w/d***
	Ending Balance		101.17			

~~04/01/2004~~ ~~STARTING BALANCE~~ ~~120.97~~

~~04/05/2004~~ ~~INMATE DEPOSIT~~ ~~15.00~~ ~~135.97~~ ~~ANNIE LAND~~

~~04/07/2004~~ ~~COMMISSARY PURCHASE~~ ~~(14.60)~~ ~~121.17~~

~~04/16/2004~~ ~~94933-PAPER WINGS\*\*~~ ~~(20.00)~~ ~~101.17~~ ~~004684~~ ~~94933 - inmate w/d\*\*\*~~

~~Ending Balance~~ ~~101.17~~



STATE OF MISSISSIPPI  
DEPARTMENT OF CORRECTIONS  
CHRISTOPHER S. EPPS  
COMMISSIONER

Ronald W. King, Superintendent  
South Mississippi Correctional Institution

Post Office Box 1419  
Leakesville, MS 39451  
(601) 394-5600 Fax ext. 1272

1113

DATE: June 2, 2006

TO:

Kenneth Grandy #94933 LD

FROM: POSTAL INSPECTION DEPARTMENT

Cyde Lewis

RE: INCOMING MAIL

A PIECE OF MAIL ADDRESSED TO YOU FROM

Paper Wings  
P.O. Box 4855 Brittonville, MD 21211

WAS RECEIVED AT POSTAL INSPECTION DEPARTMENT. THE MAIL ITEM CONTAINED

3 magazines

Books

not allowed in

ITEM(S) WILL BE

PIECE OF MAIL WILL BE

the Lockdown  
units

☐ DISAPPROVED AND REMANDED TO FILE

☐ REMOVED AND REMANDED TO FILE

☐ FORWARDED TO

☒ RETURNED TO SENDER

REASON FOR REMOVAL, RETURN, OR DISAPPROVAL

☐ CONTRABAND

☐ IT IS SUSPECTED THIS WILL BE USED TO SOLICIT FUNDS FROM PEN-PALS

☒ NON-ALLOWABLE ITEM(S)

3 magazines

☐ DOES NOT APPEAR TO BE FROM PUBLISHER

☒ CONTRARY TO REGULATIONS

☐ OTHER

FOR 1<sup>ST</sup> CLASS POSTAGE, AN ENVELOPE WITH 1 \$ IN STAMPS AFFIXED CAN BE PROVIDED FOR RETURN OR \$ IN STAMPS FOR 3<sup>RD</sup> CLASS POSTAGE. CASH OR MONEY ORDERS WILL BE RETURNED. PLEASE GIVE DATE, OFFENDER NAME AND ITEMS DISAPPROVED. REFERRALS RELATED TO THIS ITEM SHOULD BE SENT TO POSTAL INSPECTION DEPARTMENT, SMCI, ATTENTION: MAILROOM, P.O. Box 1419, LEAKESVILLE MS 39451. IF RESPONSE IS NOT RECEIVED WITHIN THIRTY (30) DAYS, ITEM(S) PIECE OF MAIL WILL BE DISCARDED.

CC. SENDER  
FILE

Exhibit C  
Dear Paper Wins

The magazines I order the first time must had penetration in them I believed that why they sent them back to you

the books cannot have any penetration but I cannot have but two magazines

so use the other \$10.00 dollar to send it priority shipping because

I have sent you \$20.01 dollar already

so if I cannot have but two magazines

you can use the \$10.00 dollar that left over to send the magazines priority shipping

now the magazines that I selection if they have penetration in them I cannot have them is if they do sent me two magazines of the same kind that don't have penetration in them Thank you

Remember I can have but two magazines so use the other money to send the books priority mail

Tell them that you can only have 2 Magazines

So ~~if~~<sup>you</sup> would like get two on this order.

And that you ~~also~~ want them to hold you

1 magazine credit good for you next order  
in the future

## STATEMENT OF CLAIM

- III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet if necessary.)

On about 04/16/04 I send paper wings P.O. Box 4855 Baltimore, Maryland 21211 a check for \$20.00 dollar to receive some magazines but, they sent the magazines back because they send 3 magazines in we could not only have but, 2 magazines at a time then I send them a letter on 06/01/04 tell them how to send the magazines to me but, they didn't send any magazines so I send them another letter 08/16/04 tell them the same thing in they sent me a paper saying sent \$2.00 dollar to them on about the 09/27/04 in a letter to, in still no magazines so I write them again so they sent the letter back saying address have changed on 11/26/04

## RELIEF

- IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

That This company be shut down in for take my money that they pay the sum of \$20 thousand and twenty seven dollar for false advertise and mail fraud and false representation statutes to the plaintiff Kenneth Gandy

Signed this 30 day of May, 20 05

Kenneth Gandy

Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

5-30-05  
(Date)

Kenneth Gandy

Signature of plaintiff(s)



U.S.D.C.

Southern Dist of Mississipp

P.O. Box 23,52

Jackson, MS 39225-3552

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